

Exhibit G

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:23CV00878-TDS-JEP

DEMOCRACY NORTH CAROLINA;)
NORTH CAROLINA BLACK ALLIANCE;)
LEAGUE OF WOMEN VOTERS OF)
NORTH CAROLINA,)
)
Plaintiffs,)
v.)
)
ALAN HIRSCH, in his official)
capacity as CHAIR OF THE STATE)
BOARD OF ELECTIONS; JEFF CARMON III,)
in his official capacity as)
SECRETARY OF THE STATE BOARD OF)
ELECTIONS; STACY EGGERS IV, in his)
official capacity as MEMBER OF THE)
STATE BOARD OF ELECTIONS; SIOBHAN)
O'DUFFY MILLEN, in her official)
capacity as MEMBER OF THE STATE)
BOARD OF ELECTIONS; KAREN BRINSON)
BELL, in her official capacity as)
EXECUTIVE DIRECTOR OF THE STATE)
BOARD OF ELECTIONS; NORTH CAROLINA)
STATE BOARD OF ELECTIONS,)
)
Defendants.)
)

RULE 30(b)(6) DEPOSITION OF THE
NEW HANOVER BOARD OF ELECTIONS
by SUSAN RAE HUNTER-HAVENS

On Thursday, March 20, 2024, commencing at
10:00 a.m., the 30(b)(6) deposition of NEW HANOVER
BOARD OF ELECTIONS, was taken on behalf of the
Defendants at New Hanover County Board of
Elections, 226 Government Center Drive, Wilmington,
North Carolina 27603, pursuant to Rule 30(b)(6) of
Civil Procedure, before Cynthia S. Boyd, RPR, and
Notary Public in and for the State of North
Carolina.

1 is denied because we can't get them mail.

2 Q. So would you say the process was easier
3 from an administrative standpoint before 747?

4 A. It required less resources because if we
5 didn't get that second card coming back
6 undeliverable, then obviously you're not going to
7 the point of trying to send out a cure or trying to
8 administratively remove the ballot and then
9 communicate that to your board as part of that
10 process. So there was less work that would have to
11 be done. So, yes, in that sense.

12 Q. Do you think it was an easier process for
13 voters before Senate Bill 747?

14 A. That's hard to speak to. I think from the
15 voter perspective obviously they're completing the
16 same process at the voting site. Now, obviously if
17 they start having trouble getting mail, it could be
18 more difficult for the voter in that sense. So I
19 think it really just would be contextual depending
20 upon the situation.

21 Q. Do you know of any like types of addresses
22 that have trouble getting mail?

23 A. I think a lot of times -- I think it's
24 well known that university students can struggle.
25 You know, they typically use a post office. They

1 don't know who the residents of their hall. That's
2 not where they get mail. So I think that's one
3 group of voters. You know there are perhaps other
4 areas. I don't think it's specific to a general
5 area but certain voters do say they have trouble,
6 especially if it's a new area or something of that
7 nature. But certainly universities -- you know, we
8 know that going into it. So we do our best to work
9 with the university to insure that we're providing
10 all the information they need to then share that
11 with students.

12 Q. Before Senate Bill 747, did you have any
13 recurring issues with mail verification?

14 A. I'm not sure what you mean, recurring
15 issues.

16 Q. How about like any concerns about the
17 process?

18 A. Other than not being able to get mail to a
19 voter who says they live at an address. But I
20 don't know if that would be -- because there were
21 two verifications, obviously we're not paying as
22 much attention to which addresses are not getting
23 mail. So it's really difficult to answer that
24 question.

25 Q. Uh-huh.

1 certainly they were very supportive of having this
2 level. And I do think in counties that do use
3 electronic poll books, it's not uncommon to have
4 some sort of laptop training whether you're able to
5 do it virtually or hands-on with the laptops.

6 Q. I'm going to bring out another document.
7 Tab 15. This will be marked as Exhibit 5.

8 (Exhibit 5 marked for identification.)

9 MR. PAYNE: While y'all are doing this,
10 are you going to enter these, these documents
11 that have been identified? Do y'all want to
12 enter those?

13 MS. KLEIN: I think that we can confer
14 about that on a break. Okay?

15 MR. PAYNE: That makes sense.

16 BY MS. SPOTO:

17 Q. Do you recognize this document?

18 A. Yes.

19 Q. What is it?

20 A. This is a document that is a sort of a way
21 that prior to each election, we reach out to the
22 university registrar to get information about the
23 roster going into the election that we can provide
24 to the early voting sites in confirming addresses,
25 formats, things of that nature. It's types of

1 correspondence that we would then initiate before
2 each election.

3 Q. And so, let's see. Was this something you
4 would do before Senate Bill 747?

5 A. Yes. It's a longstanding practice.

6 Q. And is it something you're told to do by
7 the state board? Something you choose to do?

8 A. It's one of the options that we can use.

9 Q. All right. So looking back, it looks like
10 the request email went out Friday, September 20th,
11 2024. Heard back same day. And then Ms. Dawkins
12 reached back out on September 24th to ask about
13 mailing addresses?

14 A. We wanted to make sure the format was the
15 same.

16 Q. And so help me get a better sense of -- so
17 Ms. Hilliard responded with the format?

18 A. Uh-huh.

19 Q. Is that format recorded anywhere for the
20 poll workers?

21 A. The format would be shared with the poll
22 workers if there's something specific. Typically
23 UNCW have like a CB number or something. In the
24 electronic poll book, the fields for mailing
25 address are open. For residential address, they're

1 going to be limited unless you click out of county
2 to the streets in our geocode system. So the
3 election officials are instructed to whatever the
4 voter shares is type that out specifically so that
5 when that application's printed and the voter
6 reviews it, they're reviewing everything that's on
7 their application.

8 Q. So would the format for the address, like
9 would that be printed or available anywhere at the
10 polling site?

11 A. That I don't believe the specific format
12 would be. Again, there's various formats.
13 Sometimes it's a unit number. Sometimes it's a PD
14 box, you know, it's a CB. So we're really relying
15 on the voter to understand what you're sharing.
16 But, again, our job is to let our election
17 officials know that when the voter shares that
18 format, write everything down.

19 Q. Got it. So let's say a student is showing
20 up to same-day registration and they express --
21 when they're asked to provide their mailing
22 address, they say they don't know what their
23 mailing address is.

24 A. Uh-huh.

25 Q. What is a poll worker supposed to do?

1 Q. So if a card was returned undeliverable in
2 that period and too close to canvass, would that
3 have been documented anywhere?

4 A. We would not have taken any additional
5 action to cure that ballot, so -- because the
6 voter's ballot would not be retrievable and it
7 would simply stay in denied status.

8 Q. And do you have a sense of how the number
9 of people, the 231 people whose cards came back as
10 undeliverable, how that compares to other counties?

11 A. No. You know, I know in looking through
12 the list that Mark provided us, it looks certainly
13 like we had more than many counties which, again,
14 we don't like to hear. But we do know that in
15 working with both UNCW, you know, it's a continual
16 challenge that we have with the university. We've
17 done our best to offer our services, to try to help
18 educate students.

19 I do know that UNCW worked very closely
20 with You Can Vote in the last election because they
21 felt You Can Vote had a better timeline. They like
22 to do a lot of their outreach in late September or
23 October. And unfortunately that's when we were so
24 busy administering the election, we don't have as
25 much opportunity to do in-person outreach. But we

1 do continue to share all of our information with
2 them, make sure they have updated fliers, that
3 they're aware when the information is on our
4 website.

5 We historically in this county do see a
6 fair number of cases where sometimes these
7 verification cards do come back undeliverable and
8 continue to work with our partners at UNCW trying
9 to work with that. And with voters in general
10 because some of these folks did not look like they
11 were on a campus address either.

12 Q. So if I told you that New Hanover had the
13 highest number of undeliverables, would that
14 surprise you?

15 A. Not given historically the challenges
16 we've seen with UNCW students, no.

17 Q. All right. It is 12:11. It's been about
18 an hour. This would potentially be a good point
19 for a break. Let's take a break.

20 (Recess taken.)

21 BY MR. SPOTO:

22 Q. I think we already covered this but I
23 think you said it's pretty rare, right, for you to
24 get a card back undeliverable and find there was an
25 error on your end with the address?